

# United States District Court

For the Northern District of California

IN THE UNITED STATES DISTRICT COURT

FOR THE NORTHERN DISTRICT OF CALIFORNIA

11 CHARLES MUHAMMAD,  
12 Plaintiff,  
13 v.  
14 DON KASSIG, et al.,  
15 Defendant

No. C 06-5362 MMC

## ORDER DISMISSING ACTION

17 By order filed September 1, 2006, the Court dismissed plaintiff's complaint for failure  
18 to state a claim upon which relief could be granted. The Court afforded plaintiff the  
19 opportunity to file a First Amended Complaint no later than September 25, 2006. To date,  
20 plaintiff has not filed a First Amended Complaint.

21 Accordingly, for the reasons set forth in the Court's order filed September 1, 2006,  
22 the above-titled action is hereby DISMISSED pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii).

23 || The Clerk shall close the file.

## 24 || IT IS SO ORDERED.

26 || Dated: September 29, 2006

Maxine M. Chesney  
MAXINE M. CHESNEY  
United States District Judge